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SUBJECT: GON INTENT TO ABOLISH NATIONAL LABOR CONGRESS

1. Summary. President Obasanjo's government seems to be pursuing efforts to persuade the national assembly to disband the Nigeria Labor Congress (NLC). The Government of Nigeria (GON) asserts that it wants to liberalize Nigeria's labor movement. The NLC believes the GON's move is vindictive and designed to weaken the only active opposition to GON rule. The Senate is split along party lines on the matter. End summary.

2. For the second time in five months, President Olusegun Obasanjo may soon present a bill to the national assembly seeking to amend the Nigerian Trade Unions Act. This bill, like the previous one, would put an end to the Nigerian Labor Congress as the only central labor organization in Nigeria. The bill also aims to codify the process and procedures through which labor organizations may declare strikes.

3. Among other things, the bill proposes liberalization of the Nigeria labor movement via registration of multiple labor unions that would replace the NLC. The bill would require trade unions wishing to declare a nation wide strike to secure the prior approval of at least two-thirds of its members. Now, the NLC's central committee decides such matters.

4. The GON claims the bill is justified since its enactment would ensure compliance with the International Labor Organization's (ILO) requirement that labor confederations be democratically organized. The GON further claims that the bill would promote democratization of labor and thus strengthen it, as well as allow workers to choose to become members of a labor organization of their own choice, in keeping with the spirit of the constitution.

5. The NLC thinks otherwise. Its Deputy President, Joseph Akinlaja, told the media that the bill springs from the federal government's vindictiveness rather than a commitment or concern for the labor movement. "If we want multiple labor centers, it will be the decision of the workers rather than by any law of the federal government", Akinlaja said. He suggested it is not a coincidence that the GON revived the idea of presenting such a bill to the national assembly barely a week after the NLC led a nation-wide strike protesting GON-approved fuel price increases.

COMMENT

6. The general belief in labor circles is that the GON's sole aim is suppressing labor and silencing voices of dissent as witnessed during the last three industrial actions embarked upon by the NLC. We have not seen the latest version, but recall that the previous one sought to permit the existence of multiple labor federations. No doubt, such action would weaken the NLC's power and influence as the sole labor federation recognized by law. The bill that circulated late last year stipulated that trade unions no longer had to be affiliated to a central labor organization in Nigeria.

7. Last year's bill had also sought to outlaw strikes not approved by two-thirds of the members of a labor union. The bill stipulated that 'no trade union or registered federation of trade unions by whatever name called, shall embark on an industrial action unless upon a resolution approving the strike action, passed by at least two thirds majority of delegates representing all the members of the union or federation of trade unions in secret ballot at a meeting for that purpose.'

8. Another section of the previous bill indicated that a government official (the Registrar) "shall remove from the register the Nigeria Labor Congress as the only central labor organization," while another section stipulated that two or more trade unions, irrespective of their trade, occupation, or industry, could jointly form a federation of trade unions.

19. Not all labor leaders are apt to be unhappy about reviving the proposed bill. The rival Trade Union Congress, an association of senior employees who are not allowed by law to affiliate with the NLC, had supported aspects of the labor bill last year. TUC Head of Administration, Dan Uhumangho, had then told our political specialist that the TUC supported the removal of all relevant sections of the bill that recognized the NLC as the sole labor federation in Nigeria. He said the TUC believed that every player in the labor sector should be allowed to have a say on any issue that affects it, since the NLC merely represents its own constituency and has no right to speak for others. Uhumangho had further said that the TUC supports creation of multiple labor centers, saying this is in line with democratic principles and the ILO's convention on freedom of association.

10. On the other hand, Uhumangho had said the TUC did not support the aspects of the bill that seek to discontinue automatic dues check-off for union members. He had said that if check-off dues, which remain the major source of union funding, were rescinded, the unions would have cause to seek funding from outside sources that the GON might consider inimical to Nigeria's national interests. Uhumangho had added that the TUC also opposed withdrawal of a trade union's right to engage in industrial action.

11. It is not clear how the new bill will play out in the national assembly. The senate is split along party lines on the matter. Several senators of the ruling party, the People's Democratic Party (PDP), hailed the bill, saying it is democratic in that it gives workers freedom to decide to what group they may belong. But an Alliance for Democracy senator has claimed that the PDP aims to impose a dictatorship. According to the senator, the bill "violates the basic constitutional liberties of freedom of association and expression of ideas". Most senators, however, believe the fate of the proposed bill will depend on views to be articulated at a public hearing soon to be organized.

12. What is clear is that even if the ILO has consistently advocated the existence of multiple labor federations in a country as a means of guaranteeing freedom of association, this fact does not, in and of itself, fully explain the GON's latest move. The likely re-introduction of the bill and its prospective impact on the NLC are indications that the GON is pursuing this measure to weaken organized labor's resistance to its unpopular policies.

KRAMER